



## DECLARATION IN UTILITY PATENT APPLICATION AND POWER OF ATTORNEY

We, the undersigned petitioners, declare that: **Douglas Barry** is a citizen of the United States, residing in Lincoln, Nebraska, with a post office address of 5120 Patmore, Lincoln NE 68516, **Don R. Simms** is a citizen of the United States, residing in Council Bluffs, Iowa, with a post office address of 46 Horizon Drive, Council Bluffs, IA 51503, and **Inna M. Zevakina** is a citizen of the United States, residing in Omaha, Nebraska, with a post office address of 2224 S. 164<sup>th</sup> Avenue, Omaha, NE 68130; that we verily believe ourselves to be the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **PASSIVE TRANSFER GUIDE FOR CONVEYOR TRACK** described and claimed in Serial No. 10/627,341, filed July 25, 2003; that we do not know and do not believe that the same was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof, or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; that we have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment specifically referred to in the oath or declaration; that we acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations 1.56; and that no application for patent or inventor's certificate on this invention has been filed by us, or our legal representatives or assigns in any country foreign to the United States of America.

We hereby appoint George Nimmer, Registration No. 21,004 having an address of PO Box 252, Omaha, NE 68101-0252 (telephone 402-393-0151) as our

attorney to prosecute this application and to transact all business in the Patent Office connected therewith.

The undersigned petitioners further declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application and of any patent issuing thereon.

Date: 10/30/03

Date: 10/30/03

Date: 10/30/03

  
Douglas Barry

  
Don R. Simms

  
Inna M. Zevakina